



**COMMONWEALTH OF MASSACHUSETTS  
CITY OF NORTHAMPTON  
BOARD OF HEALTH**

**COVID-19 MANDATORY POLICIES AND PROCEDURES FOR WEARING OF MASKS OR OTHER FACE COVERINGS IN PUBLIC INDOOR SPACES IN THE CITY OF NORTHAMPTON**

WHEREAS, the Delta variants are now accounting for approximately 85% of positive cases in Massachusetts (source <https://covid.cdc.gov/covid-data-tracker/#variant-proportions>) and cases have started to appear in Northampton; and

WHEREAS, these variants are almost twice as contagious as previous variants; and

WHEREAS, we know that masks slow or prevent transmission of all COVID-19 variants so far; and

WHEREAS, as we see cases rise in surrounding counties and communities during this season of summer travel and gatherings, we are committed to preventing transmission, keeping our numbers as low as possible, and preventing our most vulnerable from severe illness with a new mask mandate; and

WHEREAS, according to the CDC, "Given what we know about the Delta variant, vaccine effectiveness, and current vaccine coverage, layered prevention strategies, such as wearing masks, are needed to reduce the transmission of this variant."

NOW, THEREFORE, commencing on August 11, 2021 at 12:01 a.m., the following Policies and Procedures **MUST** be implemented at all times at all public indoor spaces in the City of Northampton.

**Section 1 Authority:**

This order is promulgated under the authority granted to the Board of Health under Massachusetts General Law, Chapter 111, Section 31.

**Section 2 Definitions:**

Public Indoor Spaces - The term "public indoor spaces" shall include all places in the City of Northampton into which members of the public are invited or otherwise allowed to enter a building or structure to interact with any persons in order to or transact any public or private business.

- Includes but not limited to; restaurants, bars, indoor performance and event venues, hotels and motels, gyms, fitness clubs, salons, places of worship

Performers - Those singing and/or playing woodwind or brass instruments

### **Section 3 Policies and Procedures:**

Except as specified in Section 4, masks are required in all indoor public places as well as private places open to the public, regardless of vaccination status for those over the age of five (5) years old.

1. Employees of public indoor spaces in the City of Northampton must wear masks or other face coverings at all times while on the premises of the business.
2. Customers of public indoor spaces in the City of Northampton must wear masks or other face coverings at all times while on the premises of the business.
3. All mask or face coverings worn in accordance with this Order shall conform to the following:
  - a. Fit snugly but comfortably against the side of the face; and
  - b. Be secured with ties or ear loops; and
  - c. Include multiple layers of fabric; and
  - d. Allow for breathing without restriction; and
  - e. Be able to be laundered and machine dried without damage or change to shape; and
  - f. May be removed for eating, drinking; where allowed; and
  - g. Disposable surgical/procedural masks are permitted

### **Section 4 Exemptions:**

Nothing in this order is intended to encourage residents to act as an enforcement authority for the City of Northampton. Residents should not take it upon themselves to approach people in violation of this order. Residents are urged to focus solely on their personal compliance with this order.

1. Nothing in this order shall be construed to require a mask to be worn by children under age five (5) or children who frequently compromise mask integrity with frequent manipulations or removals, anyone who has trouble breathing, or is unconscious, incapacitated, or otherwise unable to remove the mask without assistance or anyone who cannot wear a mask for other underlying health and safety reasons.
2. Office spaces that are open to the public but are an enclosed space with a barrier between the public and employees may be exempt from wearing a mask or face covering when not interacting with the public and the barrier is closed.
3. Music performers who are singing and/or playing brass or wind instruments are not required to wear face coverings but must adhere to social distancing of at least 10 feet from any member of the public when performing indoors.

### **Section 5 Enforcement:**

The person or entity in control of a public indoor space shall have the obligation to enforce the requirements of the mask mandate set forth in these policies and procedures.

The person or entity in control of a public indoor space, himself or by his servant or agent, or as the servant or agent of any other person or any firm or corporation, who violates any reasonable health regulation, made under authority of this section, for which no penalty by way of fine or imprisonment, or both, is provided by law, shall be punished by a fine of not more than one thousand (\$1,000) dollars per day.

### **Section 6 Effective:**

This order is in effect at 12:01 a.m. August 11, 2021

**Board of Health Members**

**Date**

Joanne Levin, Chair

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Suzanne Smith

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Cynthia Suopis

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Laurent Levy

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